

REMARKS

Reconsideration of the application is requested.

Claims 11-17, 19, 23-25, and 27-32 remain in the application. Claims 11-17, 19, 23-25, and 27-32 are subject to examination. Claims 25 and 31 have been amended.

Under the heading "Claim Objections" on page 2 of the above-identified Office Action, the Examiner objected to claims 25, 27, and 31 because of two (2) informalities.

The Examiner's suggestions are appreciated and the suggested corrections to claims 25 and 31 have been made.

It is believed that no new issue requiring further search or consideration has been presented and entry of the changes after the final rejection is requested.

Applicants appreciatively acknowledge the Examiner's statement on page 6 of the Office action that claims 25, 27, and 31 "would be allowable if rewritten to overcome the claim objections.

Under the heading "Claim Rejections – 35 USC § 103" on page 3 of the above-identified Office Action, claims 11-14 have been rejected as being obvious over ITU-T Q.734 (Stage 3 Description for Multiparty Supplementary Services using

SS7, 03/93 in view of NWB-087 (Proposed New Recommedation Q.1912. SIP- Version 2002.06.21C, Study Group 11, Temporary Document NWB-087 of ITU-T) under 35 U.S.C. § 103. Applicants respectfully traverse.

Temporary Document NWB-087 is not prior art that is available to be cited against the claims of this patent application.

Temporary Document NWB-087 is dated June 21, 2002, however, there is no evidence that this document was made available to the public on June 21, 2002. In fact, the evidence clearly indicates that the document was a temporary internal document that was not released to the public.

Applicants point to the first page of the document that is clearly marked, "this is not a publication made available to the public". The first page of the document also indicates that the document, "shall not be made available to, and used by, any other persons or entities without the prior written consent of the ITU-T". Applicants also point out that the document is classified by the authors as a "temporary document".

The claim for priority in the instant application has been perfected, and the application is entitled to a filing date of September 12, 2003. The Examiner has not offered any evidence that the Temporary Document NWB-087 was available to the public before that date.

The mere fact that the document is dated June 21, 2002 does not indicate that it was publicly available on that date given that the evidence discussed above indicates it was to be kept as an internal document.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 11 or 25. Claims 11 and 25 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 11, 23 or 25.

In view of the foregoing, reconsideration and allowance of claims 11-14, 25, 27, and 31 are solicited.

Claims 15-18, 19, 23, 24, 28-30 and 32 have been allowed.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Additionally, applicants point out the existence of a typographical error in claims 12 and 28. The terms, "central transmission mode" should be "central transmission node". Applicants did not want to correct the error after the final rejection without first determining whether the Examiner would enter the changes without requiring an RCE. Applicants believe this case is in condition

for allowance and if possible, applicants would like to correct the error before receiving a notice of allowance.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,

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MPW:cgm

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